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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,800	05/22/2001	Alain Chianale	859063.494	8923

500 7590 09/21/2004

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

EXAMINER
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LE, AMANDA T

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/863,800

Applicant(s)

CHIANALE ET AL.

Examiner

Amanda T Le

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 September 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-22 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/06/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Cornelius et al.

Cornelius et al disclose a modem powering method and apparatus (see Fig. 1) comprising the following claimed limitations:

In claim 1, “means for coupling the transmission line on the one hand to a transmit line to provide outgoing communications to the transmission line” (106, 107, 108, 109, col. 3, lines 66-67) “and to a receive line, to receive incoming communications from the transmission line” (106, 107, 108, 109, col. 4, lines 27-28); “and a detector for detecting a predetermined start-of-communication signal wherein the detector is connected to the transmit line” (110, 111, col. 4, lines 13-14).

In claim 2, “a modem having a nominal operating mode and a low-consumption operating mode,” (106, col. 4, lines 8-18) “an output and an input of the modem being respectively connected to the transmit and receive lines,” (107, 108, 109) “the detector being connected to switch the modem from its low-consumption mode to its nominal mode when the detector detects said start-of-communication signal” (col. 4, lines 10-18).

### ***Allowable Subject Matter***

3. Claims 3-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 10-22 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: Prior art of record, taken individually or collectively, fails to disclose a system for exchanging communications via a transmission line which incorporates "a coupler coupled to the transmission line, the transmit line, and the receive line structured to pass signals from the transmit line to the transmission line and to pass signal from the transmission line to the receive line; and a detector connected to the transmit line at the node, the detector being structured to detect start-of-communication signal received from the transmission line via the coupler" in the manner as claimed. The prior art of record further fails to teach "a method exchanging communications via a transmission line which transmits communication signals on a transmit line from a modem to the transmission line when the modem is in a nominal mode, receives a start-of-communication signal from the transmission line to the transmit line when the modem is in a low-consumption standby mode; and detects the start-of-communication signal on the transmit line."

### ***Conclusion***

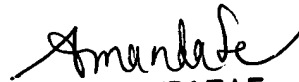
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Samson discloses a method and apparatus for reducing power consumed in modems by turning off all modem function not required to maintain the

connection. Sakamoto et al disclose a system comprising a modem start training signal detector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda T Le whose telephone number is (571) 272-3052. The examiner can normally be reached on 10:30 A.M. through 7:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
AMANDA T. LE  
PRIMARY EXAMINER